



The Town challenges the sufficiency of the petition, i.e. there would not be the requisite ten (10) employees required under RSA 273-A:8 (I). Hearing in this matter was held April 23, 1992. Prior to the commencement of the hearing, the parties stipulated that one (1) dispatcher who served as secretary to the Chief of Police should be excluded as confidential while the other clerk/dispatcher should be included in the proposed unit.

There was no objection to the inclusion of patrolmen in the unit. The Union claims there are 6 RFT patrolmen positions. The Town claims there are only five since the sixth position has been unfunded and unfilled for two years, but not abolished. The Town contested a patrolmen position titled juvenile diversion and intervention officer. Testimony indicated this position is a part time position working on a weekly shift basis.

The Town wants the corporal excluded on the basis they are performing in a confidential and supervisory capacity.

Testimony revealed that corporals job description and duties exercise "general supervision over assigned subordinate officers" and further goes on to say "performs general duties of a patrolman" they do in fact perform the same duties as a regular patrolmen and are classified as a working supervisor. The Towns claim of the confidentiality nature of the dispatcher was unsubstantiated by testimony.

#### FINDINGS

1. The supervisory duties of the corporals does not rise to the level of being significant and discretionary to warrant their exclusion from the unit.
2. The clerk dispatcher confidential relationship to the public employed was not substantiated by testimony at the hearing.
3. The above positions meet the community of interest requirement set forth in RSA 273-A:8 I (a), (b), (c) and (d).
4. There are a sufficient number of employees to meet the requirements of RSA 273-A:8 (d) [10].

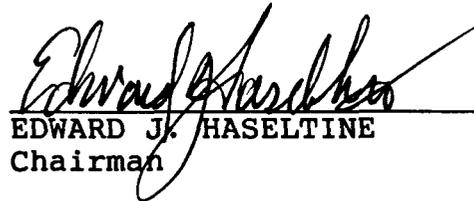
ORDER

A bargaining unit is ordered consisting of patrolmen, clerk dispatcher and corporals. Excluded from the unit Chief of Police, Sergeants and one Clerk Dispatcher serving in a confidential capacity to the Chief.

An election should be held by PELRB in accordance with RSA 273-A:10 and PELRB Rules and Regulations as expeditiously as possible.

So ordered

Signed this 22nd day of May, 1992.

  
EDWARD J. HASELTINE  
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding.  
Members e. Vincent Hall and Seymour Osman present and voting.